

### III. REMARKS

Claims 1-30 are pending in this application. By this amendment, claims 1, 4, 7, 10, 12, 16, 19, 23, 26-28 and 30 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-30 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by US Patent Application Publication No. 2004/0015375 (Cogliandro).

Reconsideration in view of the following remarks is respectfully requested.

With regard to the 35 U.S.C. §102(e) rejection over Cogliandro, Applicants assert that Cogliandro fails to teach each and every feature of the claimed invention. For example, with respect to amended claims 1, 7, and 10, Applicants submit that Cogliandro fails to teach, *inter alia*, "arranging information pertaining to the control points in a standard format using a template and storing the template in a computer database to provide subsequent access to the template, wherein the information comprises a set of tests to be performed by a test entity, and wherein the set of tests identify risks in the business process." In support of its rejection, the Office asserts, with respect to *claim 4*, that Fig. 3, element "Consequence Chart" of Cogliandro discloses a set of tests, wherein the set of tests identify risks in the business process. Office Action, p. 3.

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Interpreting Cogliandro only for the purposes of this response, Applicants submit that Cogliandro fails to disclose information in a template comprising a set of tests to be performed by a test entity, wherein the set of tests identify risks in the business process. As evidenced by its heading, the "Consequence Chart" merely lists the "magnitude of the impact if the risk is realized." (See Fig. 3) This chart fails to disclose a set of tests to specifically detail how the risk is identified, and instead, assumes that a risk is already known.

In contrast, the present invention discloses, *inter alia*, "arranging information pertaining to the control points in a standard format using a template and storing the template in a computer database to provide subsequent access to the template, wherein the information comprises a set of tests to be performed by a test entity, and wherein the set of tests identify risks in the business process." (See claim 1, and as similarly recited in claims 7 and 10.) This feature allows a set of tests to be input to the template and stored in the database for later access by reviewers and/or auditors. Accordingly, the set of tests provides specific instructions to a test entity to identify risks in the business process. For example, in the context of a business invoice, the information pertaining to the control points may comprise a set of tests instructing a testing entity to "compare the identification of an individual approving payment of a check to the identification of the individual signing the check." Here, if the individual is the same, a risk has been identified. Thus, the claimed invention provides a specific set of tests to be performed to enable a test entity to identify a risk, and provides this information to the test entity via the template. Cogliandro on the other hand, fails to disclose this claimed feature of the present invention. Accordingly, Applicants submit that Cogliandro fails to disclose each and every feature of the claimed invention and respectfully request that the Office withdraw its rejection.

With respect to claim 3, Applicants submit that Cogliandro fails to disclose, *inter alia*, “wherein the step of identifying risks comprises the step of implementing a set of tests to identify risks in the business process.” In support of its rejection, the Office asserts that Fig. 2, Element “Likelihood Chart” of Cogliandro teaches this claimed feature. *See* Office Action, p. 3.

Applicants submit that neither the element cited by the Office, nor Cogliandro as a whole, discloses implementing a set of tests to identify risks in the business process. The Likelihood Chart of Fig. 2 merely quantifies the likelihood that the risk will happen (¶ 0051) while assuming that the risk is already known. However, the Likelihood Chart does not disclose, *inter alia*, the step of implementing a set of tests to identify risks in the business process. In contrast, the present invention teaches, *inter alia*, wherein the step of identifying risks comprises the step of implementing a set of tests to identify risks in the business process. *See* claim 3. Accordingly, Applicants submit that Cogliandro fails to teach the step of implementing a set of tests to identify risks in the business process and respectfully request that the Office withdraw its rejection.

With respect to claim 5, Applicants submit that Cogliandro fails to disclose, *inter alia*, “a test entity, wherein the test entity performs the set of tests.” In support of its rejection, the Office asserts that Fig. 5, Element 520 discloses this claimed feature. However, as disclosed by ¶ 0061 in Cogliandro, Element 520 corresponds to selection of a particular program phase. Neither element 520, nor Cogliandro as a whole, discloses control point information including a test entity to perform the set of tests and providing this information in the template. In contrast, the claimed invention discloses a test entity, defined as an individual, group of individuals, or an expert system that performs a set of tests (*See* Specification, p. 8.), wherein the test entity performs the set of tests. Claim 5. Furthermore, as recited in claim 1, this information is stored in a database and available for subsequent access. Accordingly, an employee, reviewer or

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auditor can access the template to view the identity of an appropriate test entity for a particular control point. Cogliandro however, fails to disclose, *inter alia*, arranging information pertaining to the control points, wherein the information includes a test entity, and wherein the test entity performs the set of tests. *See* claims 1 and 5.

With respect to independent claims 16, 19, 23, 26, and 28 Applicants herein incorporate the arguments made above with respect to claim 1. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

Applicants further submit, with respect to claim 26, that Cogliandro fails to teach each and every feature of the claimed invention, including a test execution field for arranging a test entity, an action execution field for arranging an action entity, and an audit field for arranging audit details. In support of its rejection, the Office asserts that claim 26 is rejected for similar reasons as set forth in claims 12 and 13, respectively. Accordingly, the Office asserts that Fig. 6, Elements 670 and 680, as well as Fig. 1, Element 110 disclose these claimed features. Office Action, p. 5. Applicants submit that FIGS. 1 and 6 are merely flow charts outlining steps of the invention, but not a template with a test execution field for arranging a test entity and audit fields for arranging audit details. Cogliandro fails to disclose a test execution field, an action execution field, or an audit field. In contrast, the present invention discloses, *inter alia*, a test execution field, an action execution field, and an audit field. The test execution field is for arranging the test entity responsible for carrying out the indicated set of tests, the action field is for arranging the set of actions to be taken to address an identified risk, and the audit field provides audit details such as instructions in the event of an audit. Cogliandro fails to disclose these features. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

Finally, with respect to amended claims 27 and 29, Applicants submit that Cogliandro fails to disclose, *inter alia*, "a revision history field for arranging control point revisions, wherein the revision history field includes fields for arranging a revision number, a revision date, a summary of changes, and changes marked," or, "an information access field for arranging background information, wherein the information access field includes at least one hypertext link that allows direct access to the background information." Accordingly, in light of amended claims 27 and 30, Applicants respectfully request withdrawal of the rejection.


With respect to dependent claims 2-6, 8-9, 11, 13-15, 17-18, 20-22, 24-25, 27, and 29-30, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

#### IV. CONCLUSION

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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